

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. CR9-84-MJP  
v. )  
VLADISLAV BAYDOVSKIY, ) DETENTION ORDER  
Defendant. )

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Offense charged:

Count 1: Conspiracy to Commit Bank, Mail and Wire Fraud, in violation of 18 U.S.C. §1349

Date of Detention Hearing: April 7, 10 and 22, 2009

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has been indicted in a far-reaching indictment charging him with substantial fraud. The amount of money involved, according to a proffer by the Assistant United States Attorney, exceeds \$100 million. Of this, defendant and his co-defendants are alleged to have received more than \$9 million directly. Defendant is accused of being the mastermind behind the alleged

01 scheme.

- 02 (2) The schemes that were the subject of the indictment included use of false  
03 identity documents and the ability to manufacture documents falsifying  
04 personal background information.
- 05 (3) If convicted, the government has estimated that defendant could be looking at  
06 a prison term under the guidelines of 120 months.
- 07 (4) Defendant is a United States citizen. He was born and raised in Belarus and  
08 relocated to the United States in 1992. Although his immediate family resides  
09 in the Seattle area, his wife's family resides in Israel and he retains friends in  
10 Belarus. He has extensive foreign travel, including trips back to Belarus and  
11 the Ukraine in October 2008 to visit family, numerous trips to Israel, and trips  
12 to the Bahamas.
- 13 (5) Of the approximate \$9 million alleged to have been received by the  
14 defendants, only about \$3 million have been accounted for by seizures by the  
15 government.
- 16 (6) Defendant has substantial experience in setting up and holding LLCs which  
17 can be used to disguise the true ownership of assets.
- 18 (7) Defendant has been less than truthful. At his initial hearing, it was asserted  
19 that after his arrest in the Central District of California, he was ordered  
20 detained without benefit of an interview by Pretrial Services. This turned out  
21 to be untrue. By mentioning this, the Court does not mean to suggest that  
22 defendant's counsel was attempting to mislead the Court. However, one  
23 person in the courtroom knew the representation was false, and that was  
24 defendant. He chose not to advise his counsel of the falsity of the  
25 representation.
- 26 (8) Defendant, despite several opportunities to do so, has also been untruthful

01 about the extent of his assets.

02 (9) The demonstrated lack of candor by the defendant, his ability to deal with and  
03 create false identities and background information, his extensive travel and  
04 familial relationships abroad, the potential penalties he could face if convicted,  
05 and the substantial amount of unaccounted-for-funds attributable to the  
06 conduct that is the subject matter of the indictment lead this Court to conclude  
07 that the government has established by a preponderance of the evidence that  
08 the defendant poses a risk of flight that cannot be addressed with conditions or  
09 a combination of conditions short of detention.

10 IT IS THEREFORE ORDERED:

11 (1) Defendant shall be detained pending trial and committed to the custody of the  
12 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
13 from persons awaiting or serving sentences or being held in custody pending appeal;

14 (2) Defendant shall be afforded reasonable opportunity for private consultation  
15 with counsel;

16 (3) On order of a court of the United States or on request of an attorney for the  
17 government, the person in charge of the corrections facility in which defendant is confined  
18 shall deliver the defendant to a United States Marshal for the purpose of an appearance in  
19 connection with a court proceeding; and

20 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
21 counsel for the defendant, to the United States Marshal, and to the United States Pretrial  
22 Services Officer.

23 DATED this 23rd day of April, 2009.

24   
25 JAMES P. DONOHUE  
26 United States Magistrate Judge